



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
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NEW YORK, NY 10007-1866

SEP 15 2014

Raymond F. Hessinger, P.E.
Director, Freight & Passenger Rail Bureau
NYS Department of Transportation
50 Wolf Road POD 5-4
Albany, NY 12232

Jonathan McDade
New York Division Administrator
Federal Highway Administration
Leo W. O'Brien Federal Building
11A Clinton Ave., Room 719
Albany, NY 12207

Dear Messrs. Hessinger and McDade:

The U.S. Environmental Protection Agency has reviewed the Draft Environmental Impact Statement (DEIS) and Draft Section 4(f) Evaluation for the Portageville Bridge Project (CEQ # 20140206) in Wyoming and Livingston Counties, New York, in accordance with Section 309 of the Clean Air Act and the National Environmental Policy Act (NEPA).

The Portageville Bridge (also known as the Portage High Bridge) is a single-track, truss structure that spans approximately 819 feet across the Genesee River between Wyoming and Livingston Counties within Letchworth State Park, and serves rail freight operated by Norfolk Southern Railway Company along its Southern Tier route. The proposed Project would replace the old structure with a new 963 feet long, single track rail freight bridge that meets industry weight and safety standards. The centerline of the new bridge would be approximately 75 feet south of the centerline of the existing bridge, which requires a realignment of the railroad approaches from the east and from the west. Norfolk Southern would acquire approximately 2.71 acres of new right-of-way to realign the tracks. A portion of existing Park Road would be relocated to make space for the new bridge structure's foundations, and a small parking area (Highbridge Parking Area) would be relocated from an area south of the existing bridge to parkland north of the right-of-way and enlarged to accommodate 34 spaces. In addition, the trailheads for the Gorge Trail and the Mary Jemison Trail would be relocated from Norfolk Southern property to park property.

Construction activities would require the clearing of approximately 3.0 acres, mostly consisting of forested habitat with pockets of maintained/mowed railroad right-of-way along the existing right-of-way; the placement of fill in a 0.03-acre portion of a 0.09-acre wetland; and the removal of approximately 1.1 acres of shale cliff and talus slope.

Exclusion fencing, erosion and sediment control measures will be used to protect the remaining 0.06-acre portion of the wetland, and disturbed areas surrounding the wetland would be restored with native vegetation. Following construction, the shale cliff and talus community near the new bridge would be allowed to return to its natural state. Excavated areas will be stabilized with metal drape netting to allow establishment of vascular and nonvascular plants on the rock face, or use of the rock face by wildlife.

Post-construction, the portions of the Project area that were disturbed and that do not contain railroad infrastructure, park roadway, or parking area would be revegetated according to a habitat restoration plan to be developed with New York State Office of Parks, Recreation and Historic Preservation (OPRHP) in coordination with New York State Department of Environmental Conservation. Approximately 2.33 acres of the existing right-of-way encompassing the old railroad right-of-way location would be conveyed to OPRHP for inclusion in the park.

The DEIS adequately responds to issues EPA raised previously regarding mitigation resulting from the loss of the 0.03 acre of wetland and 1.1 acres of shale cliff and talus slope community and response to contaminated and hazardous materials that might be released during the construction.

Thank you for the opportunity to comment on the DEIS. If you have any questions, please contact Shane Nelson of my staff at (212) 637-3130.

Sincerely,



Judy-Ann Mitchell, Chief
Sustainability and Multimedia Programs Branch